

## LEGISLATIVE INTERIM COMMITTEES -- MAY 2018

LAW ENFORCEMENT AND CRIMINAL JUSTICE		
<b>Bill Title/Subject Matter:</b>		<b>INTERIM STUDY ITEMS</b>
	Legislator(s) –Sponsor:	<b>Committee Members</b>
	Interested Parties:	
	Code Reference:	
	<b>Description:</b> The following items may be studied by the LECJ Interim Committee during the remainder of the year. Offender Supervision Amendments (HB 443, 2018 GS) Presentence Investigation and Probation Report Amendments (HB 440, 2018 GS) Gun Violence in Utah Schools Background Checks for Firearms De-escalation Tactics DUI Changes 24/7 Sobriety Program Extreme Emotional Distress Mitigation (HB 447, 2018 GS) Distracted Driving Barriers to Mental Health Treatment for First Responders (HB 209, 2018 GS) Intoxicated Possession of a Dangerous Weapon  <b>Added:</b> HB 165 Romero bill on pretrial protective orders was added to the study items.  <i>[Action: Rep. Romero made a motion to add HB 165 (2018 GS) to the Interim study list. Passed Unanimous)</i>	
<b>Bill Title/Subject Matter:</b>		<b>Offender Supervision Amendments</b>
	Legislator(s) –Sponsor:	<b>Rep. Paul Ray</b>
	Interested Parties:	<b>Mike Haddon, Interim Director UDC James Hudspeth, Director AP&amp;P</b>
	Code Reference:	<b>HB 440 (2018 GS)</b>
	<b>Description:</b> HB 440 (2018 GS); Removes provisions relating to a POST certified Department of Corrections employee's duty to provide investigative services. Provides that a Department of Corrections employee who is trained to prepare a presentence investigation report may prepare a report for the court, the department, or the Board of Pardons and Parole.  <i>[Action Rep. Perry made a motion for staff to open a bill file with this language for the Committee to vote on at the next meeting.]</i>	
<b>Bill Title/Subject Matter:</b>		<b>Presentence Investigation and Probation Report Amendments</b>
	Legislator(s):	<b>Rep. Hutchings</b>
	Interested Parties:	<b>Mike Haddon, Interim Director UDC Victor Kersey, Director DIO</b>
	Code Reference:	<b>HB 443 (2018 GS)</b>
	<b>Description:</b> HB 443 (2018 GS); provide Corrections to Provides that, under certain circumstances, the Dept. of Corrections may provide a copy of a defendant's presentence investigation report to a sex offender treatment provider working with the defendant. Provides that an unsworn declaration may be used to report a probation violation.  <i>[Action: Motion: Rep. Perry made motion for staff to open a bill file with this language for the Committee to vote on at the next meeting.]</i>	

<b>Bill Title/Subject Matter:</b>		<b>Limited Performance Audit of the Salt Lake City Police Department</b>
	Legislator(s) –Sponsor:	
	Interested Parties:	<b>John Dougall, Utah State Auditor Dan Halladay, Staff, Utah State Auditor’s Office Chief Mike Brown, Salt Lake City Police Department Chief Tom Ross, Bountiful Police Department</b>
	Code Reference:	
	<b>Description:</b> The Auditor’s office reviewed three areas: 1. Secondary Employer pays the department, and the department pays the officer for secondary employment worked; 2. Secondary employer pays the officer directly as a 1099 independent contractor for secondary employment worked (jobs still coordinated through the department and secondary employer contracts with the department); and 3. Secondary employer pays the officer directly as an employee of the secondary employer (jobs still coordinated through the department and secondary employer contracts with the department).  You can view the audit at: <a href="https://reporting.auditor.utah.gov/servlet/servlet.FileDownload?file=0154100000301CGAAY">https://reporting.auditor.utah.gov/servlet/servlet.FileDownload?file=0154100000301CGAAY</a>  <i>[Action: No action taken, information only.]</i>	
<b>Bill Title/Subject Matter:</b>		<b>Request for Legislative Study Item – Statewide Jail Data (CCJJ) Presentation by the Utah Department of Corrections</b>
	Legislator(s) –Sponsor:	
	Interested Parties:	<b>Kim Cordova, CCJJ Executive Director Dr. Sofia Nystrom, Research Consultant Mike Haddon, UDC Interim Director London Stromberg, UDC Deputy Director</b>
	Code Reference:	
	<b>Description:</b> CCJJ requests that legislative research examines the benefits and cost of creating a statewide jail database, repository, and/or census. Database would hold information regarding: – Admissions and releases by date, admission type (e.g., unsentenced/pretrial vs. sentenced, COP, sanction, 72-hr hold, revocation), and offense category/severity – State ID (SID) number, OTN number, and booking/admission date for all offenders booked into or residing in the county jail.  Mike Haddon, London Stromberg, and staff presented information on long-term planning for UDC. Issues include: staffing and compensation – currently down 100 correction officers; housing; jail standards for state inmates serving time in county jails; supervision caseloads for AP&P; transition teams; treatment programs; and new prison development; inmate medical; and correctional industries.  <i>[Action: Motion by Sen. Thatcher to place the statewide jail database on for Interim Study. Unanimous.]</i>	
<b>JUDICIARY</b>		
<b>Bill Title/Subject Matter:</b>		<b>INTERIM STUDY ITEMS</b>
	Legislator(s) –Sponsor:	<b>Members</b>
	Interested Parties:	
	Code Reference:	
	<b>Description:</b> The following items may be studied by the Judiciary Interim Committee during the remainder of the year. Indigent Defense Review Appellate Decisions Fringe Gaming Devices (SB 225, 2018 GS) Immigration and Sitting for Licensing Exams	

Legal Sex/Gender Change Governmental Immunity Pretrial Assessment and Bail Bonds Child Custody and Visitation Placement of Minors in State Custody Review of Court Procedures in Utah Code with Court Rules Administrative Law Judges Duty to Assist in an Emergency (HB125, 2018 GS)  <b>Added:</b> Sexual Assault on University Campuses Surrogacy Issues  <i>[Action: Rep. Coleman made a motion to adopt the list for study and to the sexual assault on university campuses. Sen. Hillyard made a substitute motion to adopt the list with the addition of studying surrogacy issues.] [Sen. Hillyard made a motion to authorize the chairs to open bill files for the study items. Passes unanimously.]</i>	
<b>Bill Title/Subject Matter:</b>	<b>Lawsuits that Challenge the Constitutionality of State Law</b>
Legislator(s) –Sponsor:	
Interested Parties:	<b>Daniel Burton, Tyler Green, David Wolf, Attorney General’s Office</b>
Code Reference:	<b>Utah Code §67-5-1</b>
	<b>Description:</b> Utah Code §67-5-1 requires the Office of the Utah Attorney General to prepare a written report on the status and progress of any lawsuits that challenge the constitutionality of state law.  You can view the 30-page list of active cases at: <a href="https://le.utah.gov/interim/2018/pdf/00002267.pdf">https://le.utah.gov/interim/2018/pdf/00002267.pdf</a>  <i>[Action: No action taken, information only.]</i>
<b>Bill Title/Subject Matter:</b>	<b>Attorney General’s Report on Status of National Opioid Litigation and the State</b>
Legislator(s) –Sponsor:	
Interested Parties:	<b>Spencer Austin, Attorney General’s Office Robert Wing(?), Attorney General’s Office</b>
Code Reference:	<b>HJR 12 (2018 GS)</b>
	<b>Description:</b> HJR 12 (2018 GS) Joint Resolution calling upon the Attorney General to sue prescription Opioid manufactures passed. The Attorney General’s office provided an update on the status of the lawsuit. Investigations have been ongoing for the past year and a half and meetings occur weekly. An RFP is ready to be issued for outside counsel to represent the state, but first an RFI has been issued for information on attorney fee structures for a case that may go on for many years. Once that closes the RFP will be issued. Work is ongoing on settlement talks among the many multi-state interested parties. The Governor’s office and Legislature are involved in the selection committee for the outside counsel.  <i>[Action: No action taken, information only.]</i>
<b>Bill Title/Subject Matter:</b>	<b>Utah Indigent Defense Commission Report</b>
Legislator(s) –Sponsor:	
Interested Parties:	<b>Joanna Landau, Director IDC</b>
Code Reference:	<b>Utah Code §77-32-804</b>
	<b>Description:</b> Utah Code §77-32-804 requires the Utah Indigent Defense Commission to report on the operations of the commission, the operations of the indigent defense systems in the state, and compliance with the commission’s minimum guidelines by indigent defense systems receiving grants from the commission. Director Landau provided an update and information on the Indigent Defense

	Commission.  You can view the presentation at: <a href="https://le.utah.gov/interim/2018/pdf/00002267.pdf">https://le.utah.gov/interim/2018/pdf/00002267.pdf</a>  <i>[Action: No action taken, information only.]</i>
<b>Bill Title/Subject Matter:</b>	<b>Fringe Gaming Devices</b>
Legislator(s) –Sponsor:	<b>Sen. Weiler</b>
Interested Parties:	<b>Steve Wuthrich, Attorney General’s Office</b>
Code Reference:	<b>SB 225 (2018 GS)</b>
	<p><b>Description:</b> Legislation defined the term “fringe gaming device” and modified the offense of gambling to include the use of a fringe gaming device. The Attorney General’s office presented issues surrounding gambling enterprises around the state. Sen. Weiler indicated there are five main companies selling these gaming machines with an estimate of about 500 machines in Utah. It is difficult for some cities to take on these type of cases.</p> <p><i>[Action: No action taken, information only.]</i></p>
<b>POLITICAL SUBDIVISIONS</b>	
<b>Bill Title/Subject Matter:</b>	<b>Indigent Defense</b>
Legislator(s) –Sponsor:	
Interested Parties:	<b>Joanna Landau, IDC Director Lincoln Shurtz, UAC</b>
Code Reference:	<b>Utah Code §77-32-804</b>
	<p><b>Description:</b> Lincoln Shurtz presented some county issues on indigent defense including the responsibilities of paying for indigent services from a state mandate. Counties believe more funding needs to be provided to the counties, however, both counties and the state needs to agree on the responsibilities for both entities.</p> <p>Joana Landau reported on the operations of the commission, the operations of the indigent defense systems in the state, and compliance with the commission’s minimum guidelines by indigent defense systems receiving grants from the commission. Director Landau provided an update and information on the Indigent Defense Commission.</p> <p>You can view the presentation at: <a href="https://le.utah.gov/interim/2018/pdf/00002267.pdf">https://le.utah.gov/interim/2018/pdf/00002267.pdf</a></p> <p><i>[Action: No action taken, information only.]</i></p>
<b>HEALTH AND HUMAN SERVICES</b>	
<b>Bill Title/Subject Matter:</b>	<b>Opioid Misuse</b>
Legislator(s) –Sponsor:	
Interested Parties:	<b>Brent Kelsey, DSAMH Mindy Vincent, Utah Harm Reduction Coalition Kristina Swickard, Salt Lake Legal Defenders Association</b>
Code Reference:	
	<p><b>Description:</b> A roundtable discussion was held regarding opioid misuse.</p> <p>Brent Kelsey presented on the opioid epidemic and prevention and treatment. He stated the goal is to help people find a meaningful life in the community. Mindy Vincent discussed the role of the Utah Harm Reduction Coalition in the community and the services it provides. She discussed the lack of access to detox and how this impacts those who use opioids. Katrina Swickard explained the Social Services Division of the Salt Lake Legal Defender’s Association and its role in helping the indigent defense system in Utah.</p>

Several presentations were made and can be viewed at: <a href="https://ucoop.utah.gov/wp-content/uploads/UCOOP-Data-Slide-Deck-v3.pdf">https://ucoop.utah.gov/wp-content/uploads/UCOOP-Data-Slide-Deck-v3.pdf</a> Opioid Overdose Data Slide Deck <a href="https://le.utah.gov/interim/2018/pdf/00002227.pdf">https://le.utah.gov/interim/2018/pdf/00002227.pdf</a> Prescription Drug Misuse: Policy Responses Enacted by the Utah Legislature 2007-2018 <a href="https://le.utah.gov/interim/2018/pdf/00002223.pdf">https://le.utah.gov/interim/2018/pdf/00002223.pdf</a> The Opioid Epidemic, It's Time to Act <a href="https://le.utah.gov/interim/2018/pdf/00002278.pdf">https://le.utah.gov/interim/2018/pdf/00002278.pdf</a> Salt Lake Legal Defender Association  <i>[Action: No action taken, information only.]</i>
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